

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY , AUGUST 23 , 1988

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE COUNCIL CHAMBERS Tuesday EVENING August 23 , 19 88 ,
IN Regular SESSION. PRESIDENT Thomas C. Henry
IN THE CHAIR, COUNCIL ATTORNEY Stanley A. Levine , AND
Sandra E. Kennedy CLERK, AT THE DESK, PRESENT THE FOLLOWING MEMBERS VIZ:

BRADBURY P , BURNS P , GiaQUINTA P ,
HENRY P , LONG P , REDD P ,
SCHMIDT P , STIER P , TALARICO P ,

ABSENT: _____

COUNCILMEMBER: _____

THE MINUTES OF THE LAST REGULAR August 9 , 19 88

_____, 19 ____

SPECIAL _____, 19 ____

SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION,
APPROVED AND PUBLISHED.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its

Regular Session, held on Tuesday
the 23rd day of August, 1988,
that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances, and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 30th day of August, 1988.


SANDRA E. KENNEDY, CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

9 August 1988

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
CityCounty Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-88-03-20

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
9th day of August 1988.

Robert Hutner
Secretary

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON
Zoning Ordinance Amendment		
From B-1-B to B-4		

DETAILS

Specific Location and/or Address 6700 U.S. 27 South	
Reason for Project Miniature Golf Course	
Discussion (Including relationship to other Council actions) Paul McNellis, attorney representing the petitioners spoke with staff prior to the scheduled public hearing of March 21, 1988. Staff recommendation to the Commission was do not pass for the requested rezoning. Staff did however recommend that Mr. McNellis request a Use Variance on the property before the Board of Zoning Appeals. At that time Mr. McNellis deferred the public hearing on the rezoning until they could apply and have their request heard by the Board of Zoning Appeals. The Board of Zoning Appeals approved a Use Variance for the property allowing a miniature golf course on April 28, 1988. Staff received a letter from Mr. McNellis on July 27, 1988 requesting that this rezoning be withdrawn.	

POSITIONS	RECOMMENDATIONS
Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) Robert & Kathryn Schmitt City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input type="checkbox"/> For <input checked="" type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for condition)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 18 February 1988

Projected Completion or Occupancy

Date 9 August 1988

Fact Sheet Prepared by
Patricia Biancaniello

Date 9 August 1988

Reviewed by
Patricia Biancaniello
Reference or Case Number

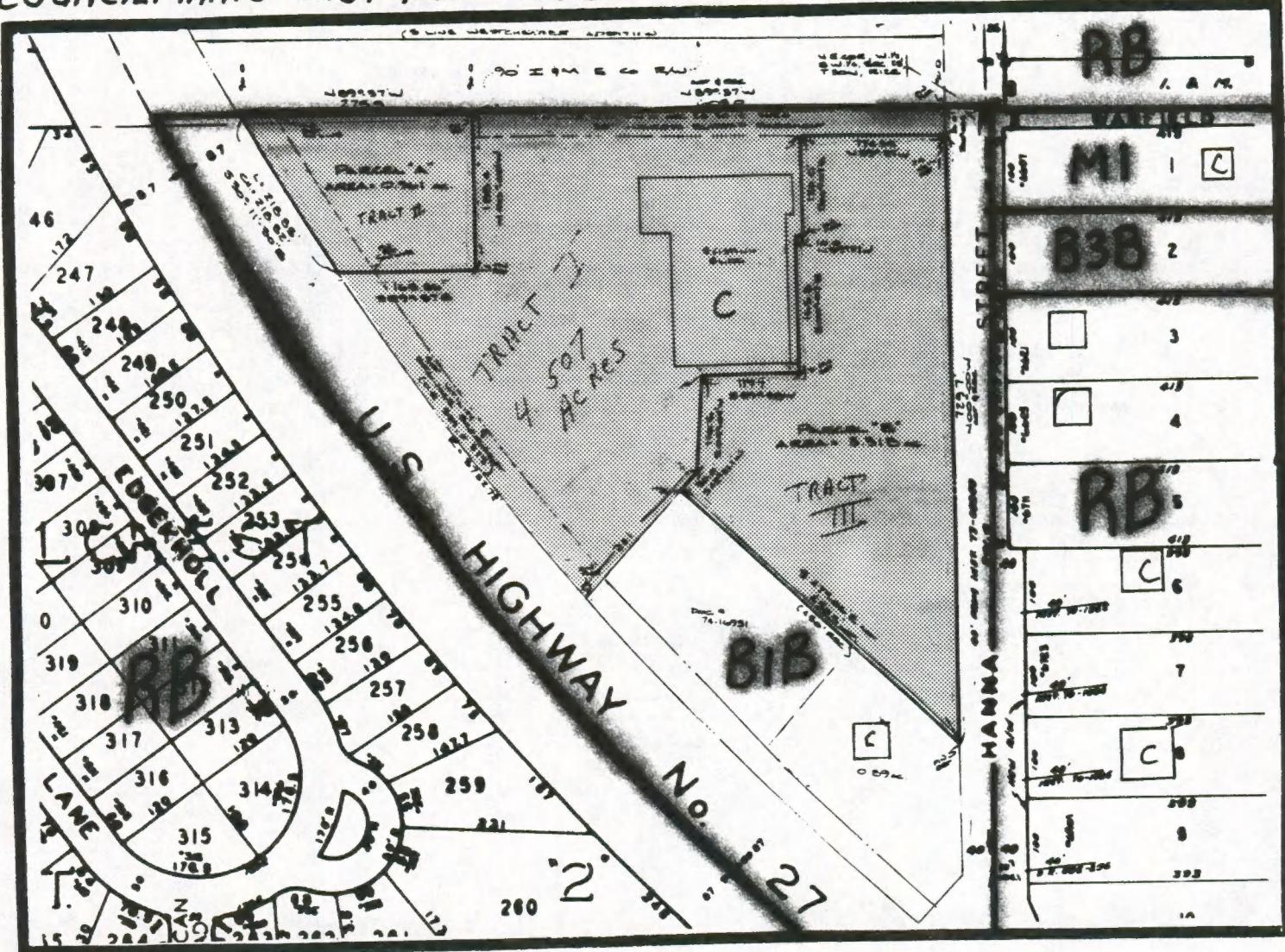
Date 15 August 1988

REZONING PETITION FORM

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING
THE DESCRIBED PROPERTY FROM A B1B DISTRICT TO A B4 DISTRICT.

MAP NO. N-27

COUNCILMANIC DISTRICT NO. 5



ZONING:

BIB LIMITED BUSINESS 'B'
RB RESIDENCE 'B'
B3B GENERAL BUSINESS 'B'
MI LIGHT INDUSTRY

LAND USE:

SINGLE FAMILY
 COMMERCIAL

SCALE: 1"=200'

DATE: 2-29-88



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 33, 1988 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-88-03-20: and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

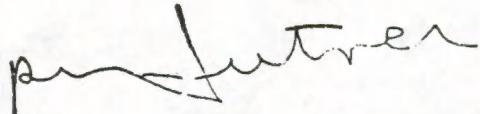
WHEREAS, a letter requesting WITHDRAWAL of the proposed ordinance has been filed with the City Plan Commission.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 25, 1988.

Certified and signed this
9th day of August 1988.



Robert Hutner
Secretary

Paul B. McNellis Esq., attorney for Robert L. & Kathryn L. Schmitt, requests a change of zone from B-1-B to B-4.

Location: 6700 South Lafayette Street.

Legal: See File

Land Area: Approximately 8.77 Acres

Zoning: B-1-B

Surroundings:	North	RB	Single Family Residential
	South	RB	SFR / limited commercial
	East	Mixed	Commercial & Residential
	West	RB	Single Family Residential

Reason for Request: Not Stated

Neighborhood Assoc.: None

Neighborhood Plan: No Comment.

Landscape: No Comment.

Comprehensive Plan: The General Land Use Policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The goal in the Middle Ring, where this request is located, is to maintain investments and prevent deterioration in existing neighborhoods.

Planning Staff Discussion:

This parcel of ground is located at the intersection of Hanna and Lafayette Streets, and is currently home to an existing commercial use (a bowling alley).

The current B-1-B (Limited Business) designation allows over 100 uses of the property. The requested B-4 (Roadside Business) designation would drastically increase the number of permitted uses (and intensities) that would be allowed. Uses permitted in a B-4 include riding stables, miniature golf courses, animal kennels, campgrounds, and auction halls. The intensity of these uses would have a detrimental impact on the neighboring residential uses.

There is a solid single family residential subdivision directly north of this site, with other residential uses located around the perimeter of this parcel. The Plan Commission has historically been extremely concerned with the issues of preservation of residential integrity and property values. All of these residential uses have some type of 'open-space' buffer...street right-of-ways, and utility easements, but these are not enough to negate the potential negative impacts of the requested zoning designation.

We understand that the petitioner's intent is to construct a miniature golf course at this location. We would not have objection to this proposed use, but the requested zoning designation would be detrimental to the area. The Board of Zoning Appeals may be a better mechanism to achieve the proposed use. We would suggest that the petitioner consider a variance request.

The Comprehensive Plan indicates that the prime concerns in this area are maintaining investments, and preventing deterioration. Due to the more intense business uses permitted by the B-4 designation, this petition is not consistent with the Comprehensive Plan, and, if approved, could be very detrimental to the surrounding residential areas.

Recommendation: Do Not Pass

- 1) Approval is not consistent with the Comprehensive Plan.
- 2) Approval could be highly detrimental to the surrounding residential uses.
- 3) Approval would directly impact the current character of existing uses and property values in the immediate area.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

9 August 1988

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of dedicated right of way.

The proposed ordinance is designated as:

BILL NO. G-88-06-12

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
9th day of August 1988.



Robert Hutner
Secretary

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON																		
Alley Vacation Ordinance																				
DETAILS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;"> Specific Location and/or Address North/South alley south of New Haven Av, North of Schele Av, between Birchwood & Edsall Avenues. </td> <td style="width: 50%; padding: 5px;"> POSITIONS </td> </tr> <tr> <td style="padding: 5px;"> Reason for Project Future development of multi-family housing project. </td> <td style="padding: 5px;"> RECOMMENDATIONS </td> </tr> <tr> <td style="padding: 5px;"> Discussion (Including relationship to other Council actions) <p><u>20 June 1988 - Public Hearing</u></p> <p>Melvin Johnson, along with Frank Paige the president of the Adams & Bruce Housing Corporation appeared before the Commission. Mr. Johnson stated that they are following one of the City's recommendations to vacate the alley which crosses through the property where they plan to locate a HUD 202 Section 7 housing apartment complex for the elderly and handicapped.</p> <p>There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.</p> <p><u>27 June 1988 - Business Meeting</u></p> <p>Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation, subject to petitioners providing utility easements as needed. Motion carried.</p> <p>Of the eight (8) members present seven (7) voted in favor of the motion one did not vote.</p> </td> <td style="padding: 5px;"> Sponsor City Plan Commission </td> </tr> <tr> <td style="padding: 5px;"> Area Affected </td> <td style="padding: 5px;"> City Wide Other Areas </td> </tr> <tr> <td style="padding: 5px;"> Applicants/ Proponents </td> <td style="padding: 5px;"> Applicant(s) Bernard & Lester Frankenstei Hanna Zacher City Department Other </td> </tr> <tr> <td style="padding: 5px;"> Opponents </td> <td style="padding: 5px;"> Groups or Individuals Basis of Opposition </td> </tr> <tr> <td style="padding: 5px;"> Staff Recommendation </td> <td style="padding: 5px;"> <input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against </td> </tr> <tr> <td style="padding: 5px;"> Board or Commission Recommendation </td> <td style="padding: 5px;"> By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for condition) </td> </tr> <tr> <td style="padding: 5px;"> CITY COUNCIL ACTIONS (For Council use only) </td> <td style="padding: 5px;"> <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pas </td> </tr> </table>			Specific Location and/or Address North/South alley south of New Haven Av, North of Schele Av, between Birchwood & Edsall Avenues.	POSITIONS	Reason for Project Future development of multi-family housing project.	RECOMMENDATIONS	Discussion (Including relationship to other Council actions) <p><u>20 June 1988 - Public Hearing</u></p> <p>Melvin Johnson, along with Frank Paige the president of the Adams & Bruce Housing Corporation appeared before the Commission. Mr. Johnson stated that they are following one of the City's recommendations to vacate the alley which crosses through the property where they plan to locate a HUD 202 Section 7 housing apartment complex for the elderly and handicapped.</p> <p>There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.</p> <p><u>27 June 1988 - Business Meeting</u></p> <p>Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation, subject to petitioners providing utility easements as needed. Motion carried.</p> <p>Of the eight (8) members present seven (7) voted in favor of the motion one did not vote.</p>	Sponsor City Plan Commission	Area Affected	City Wide Other Areas	Applicants/ Proponents	Applicant(s) Bernard & Lester Frankenstei Hanna Zacher City Department Other	Opponents	Groups or Individuals Basis of Opposition	Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against	Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for condition)	CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pas
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DETAILS

POLICY/PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Projected Completion or Occupancy **Date** 9 August 1988

Fact Sheet Prepared by **Date**
Patricia Biancaniello 9 August 1988

Reviewed by Date

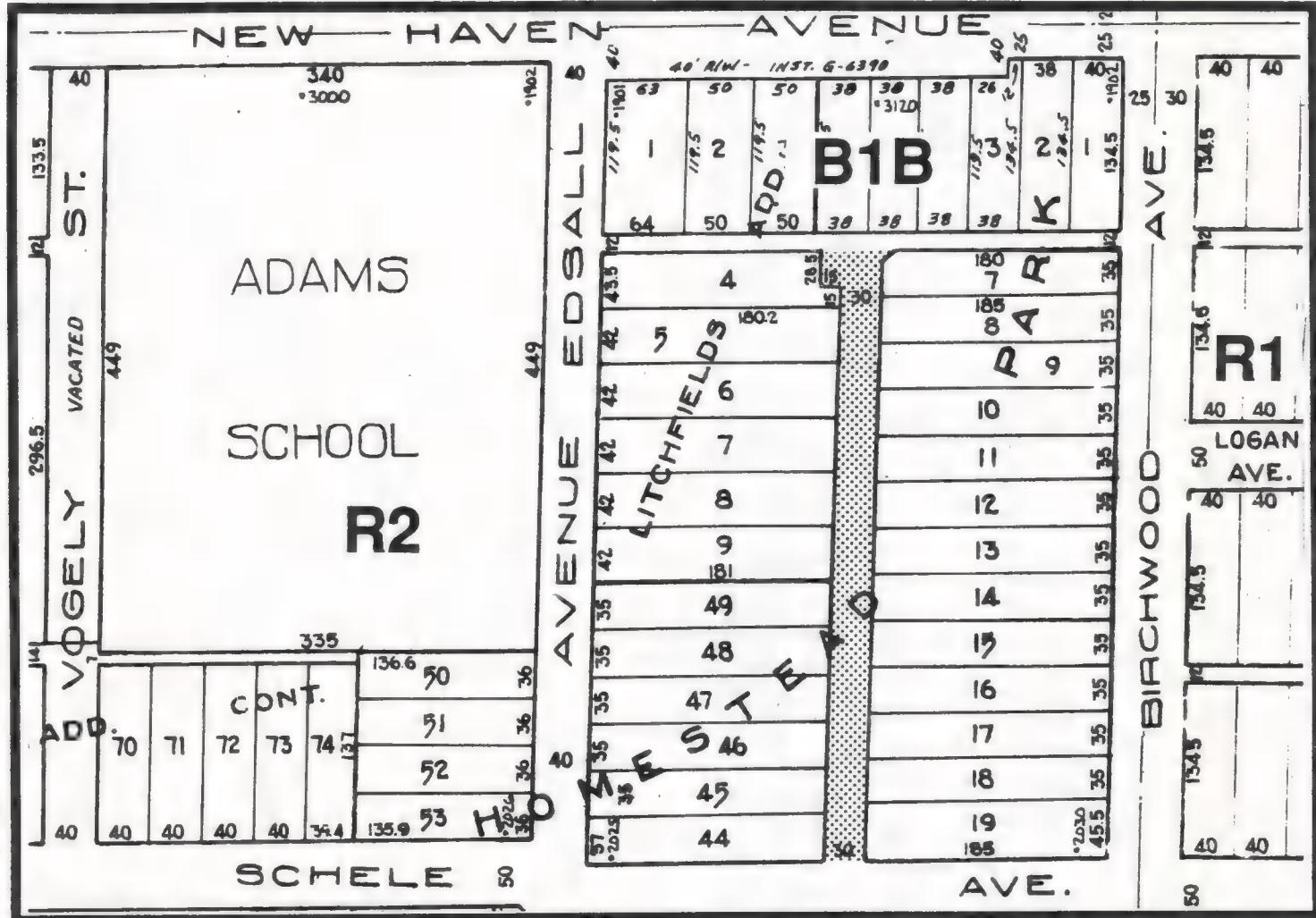
Reviewed by *Ray Bach*
Reference or Case Number

Reference or Case Number

VACATION PETITION #348
A PETITION TO VACATE THE DESCRIBED PUBLIC ALLEY.

MAP NO. Q-3

COUNCILMANIC DISTRICT NO. 1



ZONING:

R2 RESIDENTIAL DISTRICT

B1B LIMITED BUSINESS "B"

R1 RESIDENTIAL DISTRICT

LAND USE:

SINGLE FAMILY

COMMERCIAL

SCALE: 1"=200'

DATE: 6-3-88

W



Frank Paige, president of Adam and Bruce Housing Corp., request the vacation of certain right-of-way.

Location: In the 3100 Block of Schele Ave.

Legal: See file

Land Area: Approximately 14,100 Sq. Ft.

Zoning: DNA

Surroundings: to the north is a B-1-B district, with RB and R-2 districts abutting to the east, west and south.

Reason for Request: Future development of multi-family housing.

Neighborhood Assoc.: Harvester

Neighborhood Plan: No comment.

Comprehensive Plan: No comment.

Landscape: No comment.

Planning Staff Discussion:

Petitioners state that they own the property bordering this unimproved right-of-way, and have been joined in the petition by other adjacent owners.

This site is the proposed location of the future Adams & Bruce Retirement Center, a multi-family housing complex. As a condition of the primary approval of that development, the vacation of this right-of-way was required. (The existing right-of-way would prevent the placement of their building as proposed.)

This right-of-way has not been improved, and is not used for access to either private or public lands. It does not appear that the vacation will impact any other properties, nor hinder the future growth of the area.

Recommendation: Conditional Approval, contingent upon the petitioner granting utility easements as required.

- 1) Vacation will not impact the access needs of area residents, nor will it prevent access to any public or private lands.
- 2) Approval will assist in the development of a proposed elderly housing complex.

3) Approval may be in the best interest of the City, as it will add this property to the tax base.

RESOLUTION 77-314-24

WHEREAS, BERNARD FRANKENSTEIN, LESTER FRANKENSTEIN and HANNA ZACHER have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following alley situated in Fort Wayne, Allen County, to-wit:

The right-of-way between Edsall Avenue and Birchwood Avenue from the North property line of Schele Avenue to the South property line of the first alley south of New Haven Avenue.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said alley hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of public alley or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Angela S. Derheimer, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held August 3, 1988 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 3rd DAY OF August 1988
FORT WAYNE BOARD OF PUBLIC WORKS

Angela S. Derheimer
Angela S. Derheimer
Director of Public Works

Gregory A. Purcell
Gregory Purcell
Director of Community Development & Planning

C. David Silletto
C. David Silletto
Director of Administration & Finance

RESOLUTION

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WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on June 20, 1987 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated alley.

WHEREAS, said vacation of dedicated alley has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated alley hereinbefore described be and the same is hereby approved.

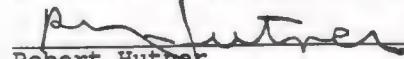
BE IT FURTHER RESOLVED no public utility occupying and using said dedicated alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated alley in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Robert Hutzner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held June 27, 1988, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 9 DAY OF August 1988
FORT WAYNE CITY PLAN COMMISSION


Robert Hutzner
Secretary



The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

28 July 1988

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of dedicated right of way.

The proposed ordinance is designated as:

BILL NO. G-88-07-23

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
28th day of July 1988.



Robert Hutner
Secretary

FACT SHEET

G-88-07-23

BILL NUMBER

**Division of Community
Development & Planning**

BRIEF TITLE	APPROVAL DEADLINE	REASON								
Right-Of-Way Vacation Ordinance										
DETAILS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> Specific Location and/or Address 50' x 66' strip of right of way on the north side of Goshen Road in approximately the 2300 block of Goshen abutting West Wind Apts. </td> <td style="width: 50%; vertical-align: top;"> Reason for Project To ensure Point West Drive is not opened onto Goshen Road. </td> </tr> <tr> <td colspan="2"> Discussion (Including relationship to other Council actions) <u>18 July 1988 - Public Hearing</u> </td> </tr> <tr> <td colspan="2"> Jerry Speedy, agent for Edward Rose of IN appeared before the Commission. Mr. Speedy stated that West Wind Apartments were built in phases and that Point West Drive had in the beginning intending to have a cut on Goshen Road where it intersects. He stated that when the project was complete in 1986 they were asked by the City not to build the road as planned and open the intersection at Goshen Road. He stated at that time they were opposed to the change but they did comply with the City's request and instead put in a modified cul-de-sac. He stated they are now concerned that when Harris Road and Goshen Road are signalized the traffic would cut through the complex onto Point West Drive to avoid the light if the intersection were to be opened. He stated they are now requesting that the strip of land be vacated to ensure that this street is not opened onto Goshen Road. He stated they feel that opening this access would be a traffic hazard to the area as well as to the residents of the West Wind Apartments. </td> </tr> <tr> <td colspan="2"> Mark Gensic questioned what reasons were given in 1986 that opening this intersection </td> </tr> </table>			Specific Location and/or Address 50' x 66' strip of right of way on the north side of Goshen Road in approximately the 2300 block of Goshen abutting West Wind Apts.	Reason for Project To ensure Point West Drive is not opened onto Goshen Road.	Discussion (Including relationship to other Council actions) <u>18 July 1988 - Public Hearing</u>		Jerry Speedy, agent for Edward Rose of IN appeared before the Commission. Mr. Speedy stated that West Wind Apartments were built in phases and that Point West Drive had in the beginning intending to have a cut on Goshen Road where it intersects. He stated that when the project was complete in 1986 they were asked by the City not to build the road as planned and open the intersection at Goshen Road. He stated at that time they were opposed to the change but they did comply with the City's request and instead put in a modified cul-de-sac. He stated they are now concerned that when Harris Road and Goshen Road are signalized the traffic would cut through the complex onto Point West Drive to avoid the light if the intersection were to be opened. He stated they are now requesting that the strip of land be vacated to ensure that this street is not opened onto Goshen Road. He stated they feel that opening this access would be a traffic hazard to the area as well as to the residents of the West Wind Apartments.		Mark Gensic questioned what reasons were given in 1986 that opening this intersection	
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DETAILS

would be unsafe.

Mr. Speedy stated that there is a major grade change going west on Goshen Road. He stated also that there is a structure that sets very close to the intersection of Goshen & Point West and in order to have a proper deceleration lane off of Goshen Road, the decel lane would come within a very few feet of the building.

There was no one else present who wished to speak in favor of or in opposition to the proposed vacation.

25 July 1988 - Business Meeting

Motion was made and seconded that the ordinance be returned to the Common Council with a DO NOT PASS recommendation. Motion carried.

Of the nine (9) members present eight (8) voted in favor of the motion one (1) did not vote.

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 6 June 1988

Projected Completion or Occupancy

Date 28 July 1988

Fact Sheet Prepared by

Patricia Biancaniello

Date 28 July 1988

Reviewed by

Greg Barker
Reference or Case Number

Date

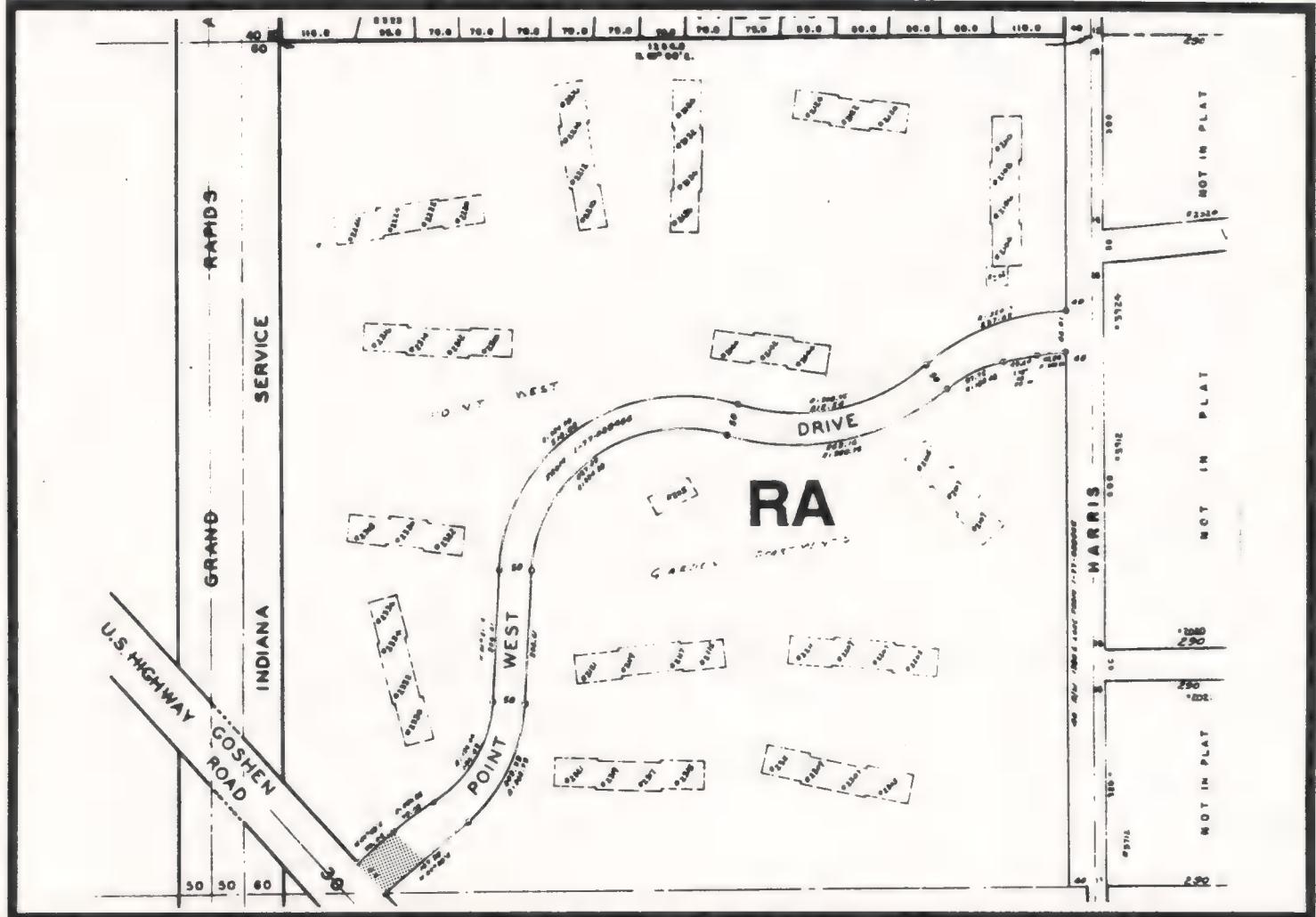
8/3/88

VACATION PETITION #358

A PETITION TO VACATE THE DESCRIBED PUBLIC STREET

MAP NO. J-26

COUNCILMANIC DISTRICT NO. 3



ZONING:

RA RESIDENCE "A"

LAND USE:

MULTI-FAMILY

SCALE: 1"=200'

DATE: 6-24-88

W



Jerry Speedy, agent for Edward Rose of Indiana requests the vacation of a portion of right-of-way.

Location: Off of Goshen Road in approximately the 2300 block (Point West Drive)

Legal: See file

Land Area: Approximately 0.0758 acres

Zoning: Does not apply

Surroundings: The immediate area is zoned RA

Reason for Request: Not stated on the petition

Neighborhood Assoc.: None

Landscape No comment.

Neighborhood Plan: No comment.

Comprehensive Plan: No comment.

Planning Staff Discussion:

This right of way is located off of Goshen Road in approximately the 2300 block. If it were improved, it would be a portion of Point West Drive, the public street that runs through West Wind Apartments.

The petitioners state that they are the only owners of real estate bordering this portion of right-of-way, and that the street is not necessary for ingress or egress to other properties. They further state that no one else would be interested in, or affected by the request.

While we agree that they are the only abutting property owners, we disagree in terms of who would be affected by this petition. Point West Drive is a public street that is currently only connected to Harris Road, and it serves as the only access to a major apartment complex (West Wind Apartments). When this apartment complex was originally presented for review, the Street Engineering Department required that their proposed private driveway become a dedicated public street. This was apparently due to the potential trip generation of the complex, and the potential need for an additional access location.

From a planning standpoint, we believe that the right-of-way should be maintained for potential needs. Development in this

general area has increased since the project was originally approved. The developer was required to commit to a shared cost of a future traffic signal, if warrants were met. The increases in traffic generation, under the terms of the escrow account, indicated that over 30% (of the traffic increase) is attributed to this development.

Due to the size of the apartment development, the overall increase in development in this sector of the city, and the potential for future development along this corridor, we feel that it would not be advantageous for the city to vacate this right-of-way at this time.

Recommendation: Do Not Pass

- 1) Potential growth in this corridor of the city would appear to indicate that it would not be in the city's best interest to vacate this ground at this time.
- 2) Increases in traffic volumes in this area may necessitate the future development of this access point, in order to serve the residents of the apartment complex.



THE CITY OF FORT WAYNE
LAND USE MANAGEMENT / Division of Community Development & Planning
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

28 July 1988

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
CityCounty Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-88-07-18

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
28th day of July 1988.

Robert Hutner
Secretary

FACT SHEET

Z-88-07-18

BILL NUMBER**Division of Community
Development & Planning**

BRIEF TITLE	APPROVAL DEADLINE	REASON														
Zoning Ordinance Amendment From R-3 to B-1-B																
DETAILS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; vertical-align: top;"> Specific Location and/or Address 718 East Jefferson Bl </td> <td style="width: 50%; vertical-align: top;"> POSITIONS Sponsor City Plan Commission </td> </tr> <tr> <td> Reason for Project Catering Business </td> <td> RECOMMENDATIONS Area Affected City Wide Other Areas </td> </tr> <tr> <td> Discussion (Including relationship to other Council actions) <u>18 July 1988 - Public Hearing</u> The petitioner failed to appear for the public hearing. There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning. NOTE: The petitioner was notified on July 8, 1988, in writing, of the location and time of the public hearing. </td> <td> Applicants/ Proponents Applicant(s) Dennis Wheaton City Department Other </td> </tr> <tr> <td> <u>25 July 1988 - Business Meeting</u> Motion was made and seconded to return the ordinance to the Common Council with a DO NOT PASS recommendation. Motion carried. Of the nine (9) members present eight (8) voted in favor of the motion one (1) did not vote. </td> <td> Opponents Groups or Individuals Basis of Opposition </td> </tr> <tr> <td></td> <td> Staff Recommendation <input type="checkbox"/> For <input checked="" type="checkbox"/> Against Reason Against </td> </tr> <tr> <td></td> <td> Board or Commission Recommendation <input type="checkbox"/> For <input checked="" type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions) </td> </tr> <tr> <td></td> <td> CITY COUNCIL ACTIONS (For Council use only) <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass </td> </tr> </table>			Specific Location and/or Address 718 East Jefferson Bl	POSITIONS Sponsor City Plan Commission	Reason for Project Catering Business	RECOMMENDATIONS Area Affected City Wide Other Areas	Discussion (Including relationship to other Council actions) <u>18 July 1988 - Public Hearing</u> The petitioner failed to appear for the public hearing. There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning. NOTE: The petitioner was notified on July 8, 1988, in writing, of the location and time of the public hearing.	Applicants/ Proponents Applicant(s) Dennis Wheaton City Department Other	<u>25 July 1988 - Business Meeting</u> Motion was made and seconded to return the ordinance to the Common Council with a DO NOT PASS recommendation. Motion carried. Of the nine (9) members present eight (8) voted in favor of the motion one (1) did not vote.	Opponents Groups or Individuals Basis of Opposition		Staff Recommendation <input type="checkbox"/> For <input checked="" type="checkbox"/> Against Reason Against		Board or Commission Recommendation <input type="checkbox"/> For <input checked="" type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)		CITY COUNCIL ACTIONS (For Council use only) <input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass
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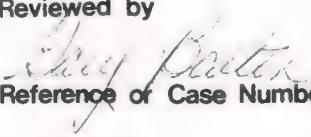
DETAILS**POLICY/ PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start**Date** 17 June 1988**Projected Completion or Occupancy****Date** 28 July 1988**Fact Sheet Prepared by**

Patricia Biancaniello

Date 28 July 1988**Reviewed by**
Reference or Case Number**Date**

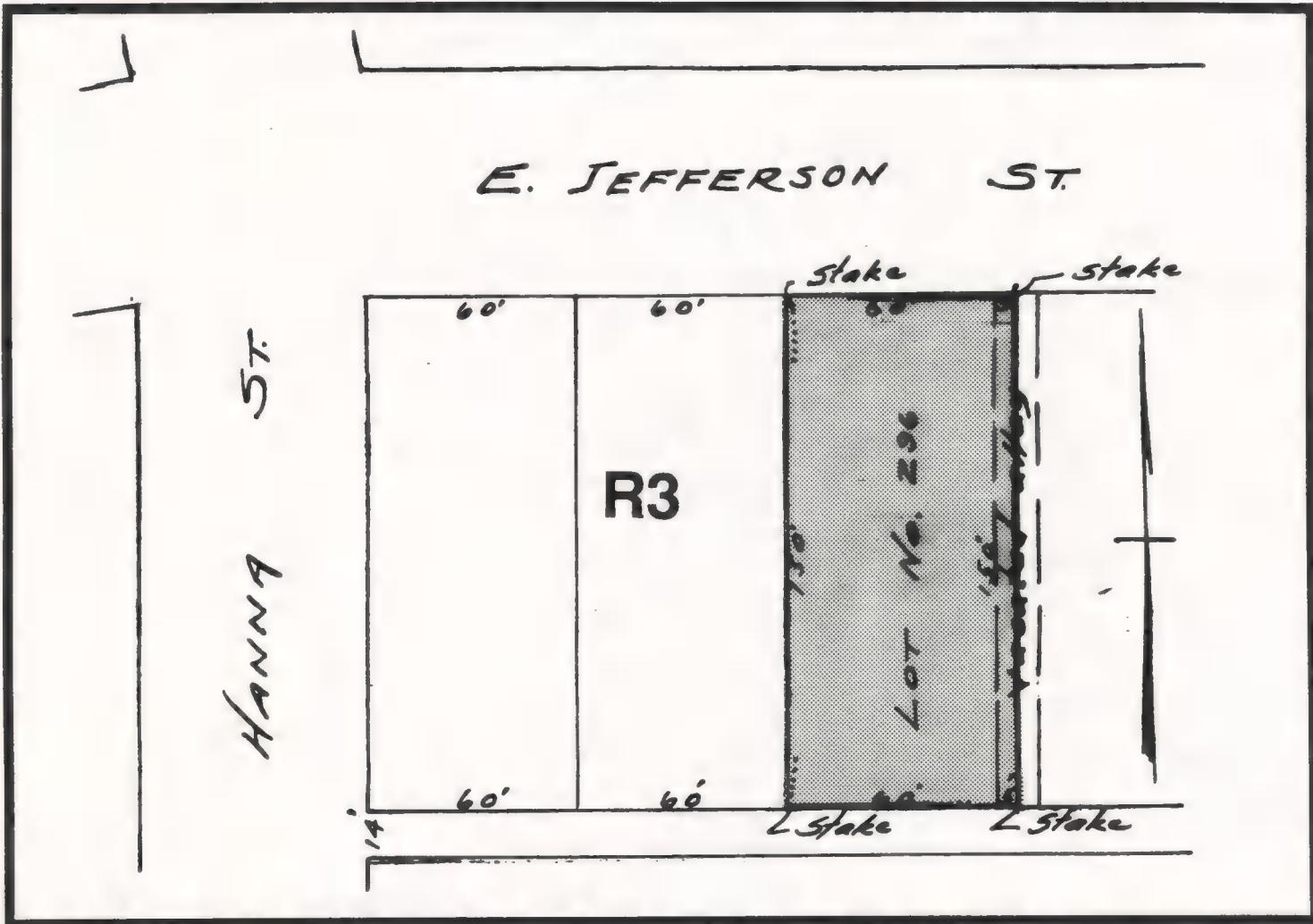
6/21/88

REZONING PETITION #359

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A R3 DISTRICT TO A B1B DISTRICT.

MAP NO. N-6

COUNCILMANIC DISTRICT NO. 1



ZONING:

R3 RESIDENTIAL DISTRICT

LAND USE:

MULTI-FAMILY

SCALE: 1"=40'

DATE: 6-24-88

lw



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 12, 1988, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-88-07-18, and;

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 18, 1988.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

- (1) the grant will be injurious to the public health, safety, morals and general welfare of the community;
- (2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;
- (3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;
- (4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;
- (5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 25, 1988.

Certified and signed this
28th day of July 1988.



Robert Hutner
Secretary

Dennis Wheaton requests a change of zone from R-3 to B-1-B.

Location: 718 E. Jefferson Blvd.

Legal: Lot 296 Samuel Hanna's First Addition & 5' of vacated alley

Land Area: Approximately 0.206 acres

Zoning: R-3

Surroundings:

North	B-3-B	Residential
South	R-3	Residential
East	R-3	Residential
West	R-3	Residential

Reason for Request: Catering business

Neighborhood Assoc.: East Central

Landscape: Recommend requiring any parking developed on this site to be screened with a minimum 3' ht. landscape screen from street view.

Neighborhood Plan: The East Central Neighborhood Plan makes two recommendations that are relevant to this petition.

First, "to maintain existing concentrations of low density single family land uses." It is the stated intent of the plan to "prevent incompatible land use activities from encroaching on single family residential areas..."

Secondly, "to limit the expansion and encroachment of strip commercial and other incompatible patterns of land use development into residential areas."

Comprehensive Plan: The general land use policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The three main goals for the Central Area, where this request is located, are: 1) to maintain existing development; 2) to halt deterioration; and to encourage investment. Encroachment of commercial development sets a poor precedent for this area. Maintaining the existing residential development becomes

more difficult with rezonings that allow other uses.

Planning Staff Discussion:

This parcel is located approximately mid-block between Hanna and Francis Streets, on the south side of Jefferson Blvd. It is surrounded on three sides by properties zoned R-3. The north side of the street is primarily residential with a church on one corner and a barber shop site at the other.

The Comprehensive Plan views this area as suitable for residential uses, and the existing uses in the area support that assertion. All rezoning petitions are evaluated with a view to the Comprehensive Plan, the condition and character of existing uses in the area, conservation of property values and the principles of responsible development and growth.

We can not support this petition as its approval would constitute a spot zoning, and would be contrary to the existing uses in the area and the Comprehensive Plan. Additionally, approval of this request would be in conflict with the neighborhood plan by allowing commercial encroachment in low density residential areas. There are numerous properties throughout the city with the requested designation, or more intense classifications.

Recommendation: Do Not Pass

- 1) Approval would be contrary to the Comprehensive Plan.
- 2) Approval would create a "spot" zone.
- 3) Approval would be out of character with the predominate uses in the immediate vicinity.



The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

28 July 1988

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
CityCounty Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-88-07-19

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
28th day of July 1988.



Robert Hutner
Secretary

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON														
Zoning Ordinance Amendment From R-1 to POD																
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DETAILS

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 17 June 1988

Projected Completion or Occupancy

Date 28 July 1988

Fact Sheet Prepared by

Date 28 July 1988

Patricia Biancaniello

Reviewed by

Date

6/3/88

Reference or Case Number

Doris Bector

- a. Change of Zone #355
From R-1 to POD
7014 No Clinton St

Primary Development Plan for "Concordia Gardens Office Park"

Ken Gaffer, co-owner of Spiedel Homes appeared before the Commission. Mr. Gaffer stated that Spiedel Homes is located on the site of 7014 No Clinton Street. He stated that they are requesting the rezoning in order to develop "Concordia Gardens Office Park". He stated that he felt the area would never develop residentially. He stated that he had met with the neighborhood association and all indications were that they were very much for the development on the site. He stated that if the Commission had seen the site and how it currently looks, they would see that anything would be a plus, especially with what he is trying to propose. He stated there is concern for the drainage in the area. He stated that he cannot resolve the drainage problem in the area but feels that his development will not create anymore of a problem in the area. He stated that he would comply with any feasible changes. He stated that he was proposing 10 units.

Sean Collentine, realtor, appeared before the Commission. Mr. Collentine stated that he sold the property. He stated that he felt from the beginning that they would have a number of problems with the site. He stated that it has to be a type of site that is going to work for the area and that will work with the neighborhood. He stated that there is no point in trying to force fit something. He stated that they have worked with the neighborhood on this project. He stated that they have tried to solve any problems with the City. He stated that it is a pocketed area so it is not entered from the association, you access directly from No Clinton Street. He stated that the character of the road is basically commercial now.

Chuck Shamo, 2212 Bellevue Drive, Director at large for the Concordia Neighborhood Association, appeared before the Commission. Mr. Shamo stated that they feel an excel/decel would be required for this project. He stated that they are concerned that the city insure that excel/decel lanes would handle the additional traffic that this project would create. He stated that the pedestrian overpass bridge is in a very awkward position, it is very close to the access to the POD and obviously it is a rather large obstruction. He stated there are many small children and pedestrians that use the bridge and they want the City to consider the safety of the pedestrians using the bridge. He stated that they have met with the realtor and they were very open with their plans. He stated that they feel this development would not be a disadvantage to the association, if the concerns of the association are met and they would be in favor of the development.

William Miller, 6802 Mohawk Drive, Vice-President of the

Concordia Gardens Neighborhood Association, appeared before the Commission. Mr. Miller stated that having a buffer between the neighborhood and No. Clinton of this type might be an advantage, depending upon how the developer goes about developing it. He stated that their two prime concerns are landscaping, that is what the residents who live around the development are going to see. If the landscaping was developed to meet the neighbors approval they would probably not be in opposition to the development. He stated they have not received any plans from the developer on the landscaping. He stated that they have a problem with drainage in Concordia Gardens and at the present time the water from that parcel is routed into the addition. He stated they would like to see the drainage plans and have this water runoff dealt with.

Roger McDannold, 7120 Riverton Drive, a director with the Concordia Gardens Community Association appeared before the Commission. Mr. McDannold stated that the scale drawing is not to scale and they really cannot tell how that is going to impact the detention pond.

Tom Henry, 3rd District Councilman, appeared before the Commission. He stated that he felt the association sees the possibility of something good in this development. He stated that if the developer and association can work out their problems he would ask the Commission to consider a do pass recommendation.

Roger McDannold, 7120 Riverton Drive, asked that if a POD was granted on the property that the property next to it could be a business.

Yvonne Stam stated that if this tract is zone for a POD that does not answer the question about the zoning of any other tract.

Tim Starkey, 6932 No Clinton Street, appeared before the Commission in opposition to the rezoning. Mr. Starkey stated that he owned the property adjacent to the property in question. Mr. Starkey stated that no one has taken the time to meet with him regarding the project. He stated that he is not against the zoning but he did have reservations with the retention pond and the general drainage on the land. He stated that they share a drive and was concerned that the developer would be allowed to put a drive in and he would be cut off from having access onto No Clinton. He stated there is one building on the plan, in the northeast corner of the project, that is listed as a steel erected building. He stated that presently there is a electric contracting there and they informed him that the building is going to be a pole building and they were still going to remain on site and work out of the building.

In rebuttal, Bruce Franke, land surveyor, appeared before the Commission. He stated that in looking at and discussing with various people at Water Pollution Control Engineering the problems that exist in Concordia Gardens due to storm drainage,

problems that exist in Concordia Gardens due to storm drainage, is the feeling through a preliminary routing of the plan and several other meetings, that a detention basin would not cause additional drainage problems into what already existed in Concordia Gardens. He stated that the major constraints to the city's recollection when they dealt with the property was through the Martin Luther Drive entrance to the seminary on No Clinton Street, that is a constraint and causing a drainage problem. He stated that if you look at a contour map of the area for the proposed office park, the shed area involved is rather minute. He stated that they are at the upstream end of this shed area. He stated that they have to design their detention basin for a 100 year storm. He stated that they release that water on a 3 year basis, which will release the same volume and there will be more runoff caused by the impervious surfaces of the office complex. However, the runoff will not be greater in volume at one time, it will flow longer. He stated that the developer is willing to do what is necessary to ensure that the drainage problem is not accelerated by their development.

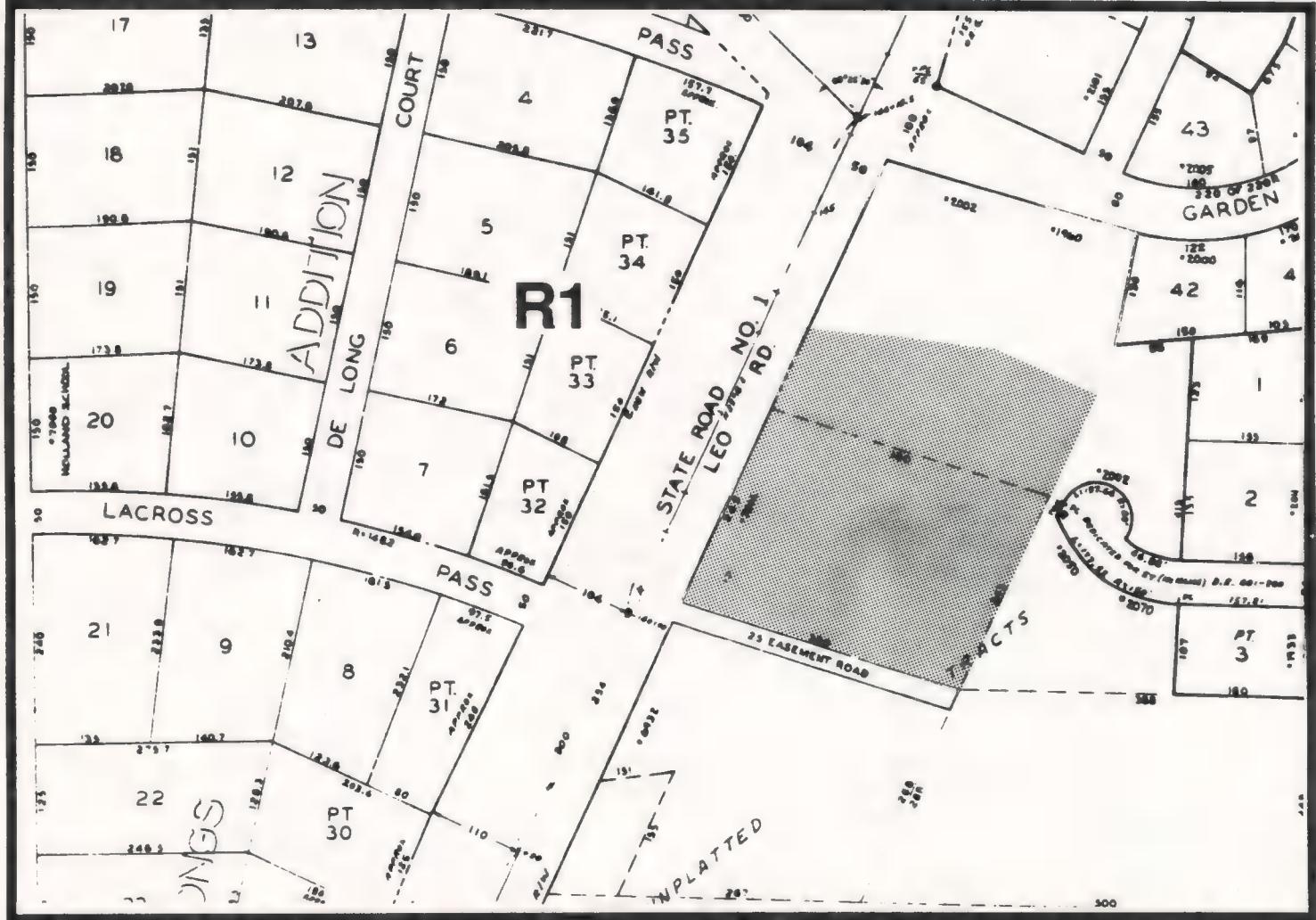
There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning or primary development plan.

REZONING PETITION #355

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A R-1 DISTRICT TO A POD DISTRICT.

MAP NO. P-42

COUNCILMANIC DISTRICT NO. 2



ZONING:

R1 SUBURBAN RESIDENTIAL

LAND USE:

SINGLE FAMILY

SCALE: 1" = 200'

DATE: 6-24-88



W

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 12, 1988, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-88-07-19; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 18, 1988.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO NOT PASS recommendation based on the Commission's following "Findings of Fact".

(1) the grant will be injurious to the public health, safety, morals and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will be affected in a substantially adverse manner;

(3) the need for the rezoning does not arise from conditions peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

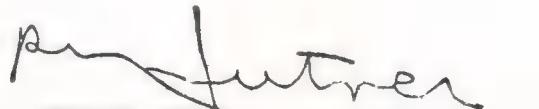
(4) the strict application of the terms of the zoning ordinance will not constitute an unusual and unnecessary hardship to this property;

(5) the grant interferes substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 25, 1988.

Certified and signed this
28th day of July 1988.



Robert Hutzner
Secretary

Ken Gaffer, agent for Felix Lesauski, requests a change of zone from R-1 to P.O.D.

Location: In the 7100 block of North Clinton

Legal: See file

Land Area: Approximately 2.88 acres

Zoning: R-1

Surroundings: North R-1 Single Family Residential
South R-1 Single Family Residential
East R-1 Single Family Residential
West R-1 Single Family Residential

Reason for Request: A Professional Office District

Neighborhood Assoc.: Concordia Gardens

Landscape: No comment.

Neighborhood Plan: No comment.

Comprehensive Plan: The general land use policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The goal in the North Sector, where this request is located, is for orderly growth. Establishing uses other than residential for this area is not consistent with the Comprehensive Plan.

Planning Staff Discussion:

This parcel is located on the east side of North Clinton Street just south of its intersection with Auburn Road, and appears to house a legal non-conforming use at the current time. The predominate use of land in the immediate area is single family residential. There are some non-residential uses along Clinton Street to the south, that appear to be legal non-conforming. Fox Chase and Concordia Senior College are also located to the south. An undeveloped P.O.D. site currently exists approximately 2300 feet to the south, and further south is a small shopping area (Washington Square).

According to the Comprehensive Plan, this area should be developed residentially. The purpose of the P.O.D. is twofold. First to provide an area where professional offices may develop, including associated businesses, with assurance that retail and

other commercial uses with incompatible characteristics will not disrupt their activities. Secondly the P.O.D. can be used as a transitional zone, separating higher intensity uses from those less intense.

It would appear to be difficult to justify another P.O.D. in the northern sector of the city, when such existing designated land has not been fully developed. The merits of using the requested zoning as a transition or buffering technique raises other questions. Assuming that this use is a legal non-conforming use, no expansion could occur without either a rezoning or a variance. As the Comprehensive Plan would not support a rezoning, we may be able to conclude that the nature of the existing use's zoning status provides its own buffering characteristics. There are no higher intensity designations adjacent to this tract.

Evaluation of the area in terms of the Comprehensive Plan, conservation of property values, and the current condition and character of uses indicates that we cannot support the petition.

The predominate type of development in the area is residential, which is in agreement with the Comprehensive Plan. Although some non-residential uses do exist in the larger scope of this location, those uses do not appear to be such to require additional zoning strategies in order to conserve property valuations.

Recommendation: Do Not Pass

- 1) Approval would be in contradiction to the Comprehensive Plan.
- 2) Approval would not be in character with the predominate uses in the immediate vicinity.
- 3) Other land areas currently exist which could be developed for professional office uses, and it does not appear that additional land needs to be designated at this time.



The City of Fort Wayne
LAND USE MANAGEMENT
Division of Community Development & Planning

26 July 1988

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
CityCounty Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946.) The proposed ordinance is designated as:

Bill No. Z-88-07-14

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
26th day of July 1988.



Robert Hutner
Secretary

Division of Community Development & Planning

BRIEF TITLE	APPROVAL DEADLINE	REASON	
Zoning Ordinance Amendment			
From RB to POD			
DETAILS		POSITIONS	RECOMMENDATIONS
Specific Location and/or Address A 4.85 Acre parcel lying between Winchester Road, Baer Field Thruway & Alyesford Drive.		Sponsor	City Plan Commission
Reason for Project Professional Office Development		Area Affected	City Wide Other Areas
Discussion (Including relationship to other Council actions) <u>18 July 1988 - Public Hearing</u> See Attached Minutes		Applicants/ Proponents	Applicant(s) Z.K. Tazian City Department Other
<u>25 July 1988 - Business Meeting</u> Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation. Motion carried. Of the nine (9) members present eight (8) voted in favor of the motion one (1) did not vote.		Opponents	Groups or Individuals Basis of Opposition
NOTE: Conditions for development in a P.O.D. are placed on the development plan and not the rezoning. No building permits can be issued until all of the requirements of the development plan approval have been met.		Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
		Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to condition (See Details column for condition)
		CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pas

DETAILS**POLICY/ PROGRAM IMPACT**

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start **Date** 20 May 1988**Projected Completion or Occupancy** **Date** 28 July 1988**Fact Sheet Prepared by** **Date** 28 July 1988

Patricia Biancaniello

Reviewed by**Reference or Case Number**

a. Change of Zone #351
From RB to POD
A 4.85 Acre parcel lying between Winchester Road, Baer Field Thruway and Aylesford Drive.

Primary Development Plan for "Winchester Pointe Professional Center"

Z.K. Tazian, owner and developer, stated that this is a 10.2 acre parcel and they are requesting to change the zoning on only the northern 4.85 acres of land. He stated that they intend to construct an office complex consisting of 5 buildings, to be built as the need arises. He stated there will be 3-one story and 2-two story that will be served by city water and sewer and have a total gross floor area for all five buildings of 50,000 square feet. He stated that they are having 2-story buildings in order to have some variation in the style of the buildings. He stated that having spoken with the neighbors they have agreed that the use is a proper one for the area.

John Bowman, 912 Aylesford Drive stated that while they would prefer the area stay undeveloped they feel that the proposed use would be better than having a multi-family development in this location. He stated that while they are not opposed to the development they do have some concerns. He stated they are

Minutes

Public Hearing - City Plan Commission
18 July 1988

concerned about having adequate landscaping for this project. He stated that adjacent to this project Mr. Tazian has proposed a multi-family development and since the land is currently zoned for that use they do not have much control over that project. He stated that because of that they do hope there will be maximum landscaping required on the POD project both on Winchester Road and on the southern end of the POD. He stated they are also concerned over the 2-story buildings. He stated that they feel they will not be compatible with the residences in the area. He stated that in the original plans that were shown to the neighbors at the meeting all of the buildings were one story. He stated they were also concerned that the signage be minimal and that no large or illuminated signs be allowed in the development. He stated they had no particular traffic concerns so long as there is adequate provision made for deceleration lanes in front of the office complex.

Frank Burke, 6515 Winchester Road, stated he had spoken with Mr. Tazian and they had agreed on certain cosmetic changes to the plans that would be incorporated into the presentation tonight. He stated that if the plans were acceptable they would enter into an agreement that Mr. Tazian would develop the site per the new plans. He stated that since these changes have not been presented he requested the Commission defer their approval on the request until the acceptable changes have been made.

Jerry Wieterhold, 6930 River Haze Road, stated that he was not for or against the project but was concerned with the added traffic as well as whether or not this project would have adequate parking. He stated also that he to was shown plans where the buildings were to all be one story.

Ron Flohr, 6721 Winchester Road, stated he did not wish to speak against the project but wanted to be sure that Mr. Tazian meets all the requirements of the Plan Commission and builds complementary facility for the area.

Greg Spahiev, 6505 Winchester Road, stated that he to was told that he would be contacted and be able to look at the final plans prior to the public hearing. He stated that he was not contacted and that he would request that the Commission defer the request until the neighbors have seen the final plans.

In rebuttal Mr. Tazian stated that Mr. Burke and Mr. Spahiev complaint is not about the POD but the duplex development. He stated that the staff does not require any landscaping along Winchester Road for the duplex development. He stated that he informed them that he would put in writing that he would

Minutes

Public Hearing - City Plan Commission
18 July 1988

landscape along Winchester Road. He stated that the duplexes built along Winchester would be built more aesthetically pleasing and be more compatible with the single family residences along Winchester Road. He stated there complaints are with regard to the duplex development and that issue has not been presented yet.

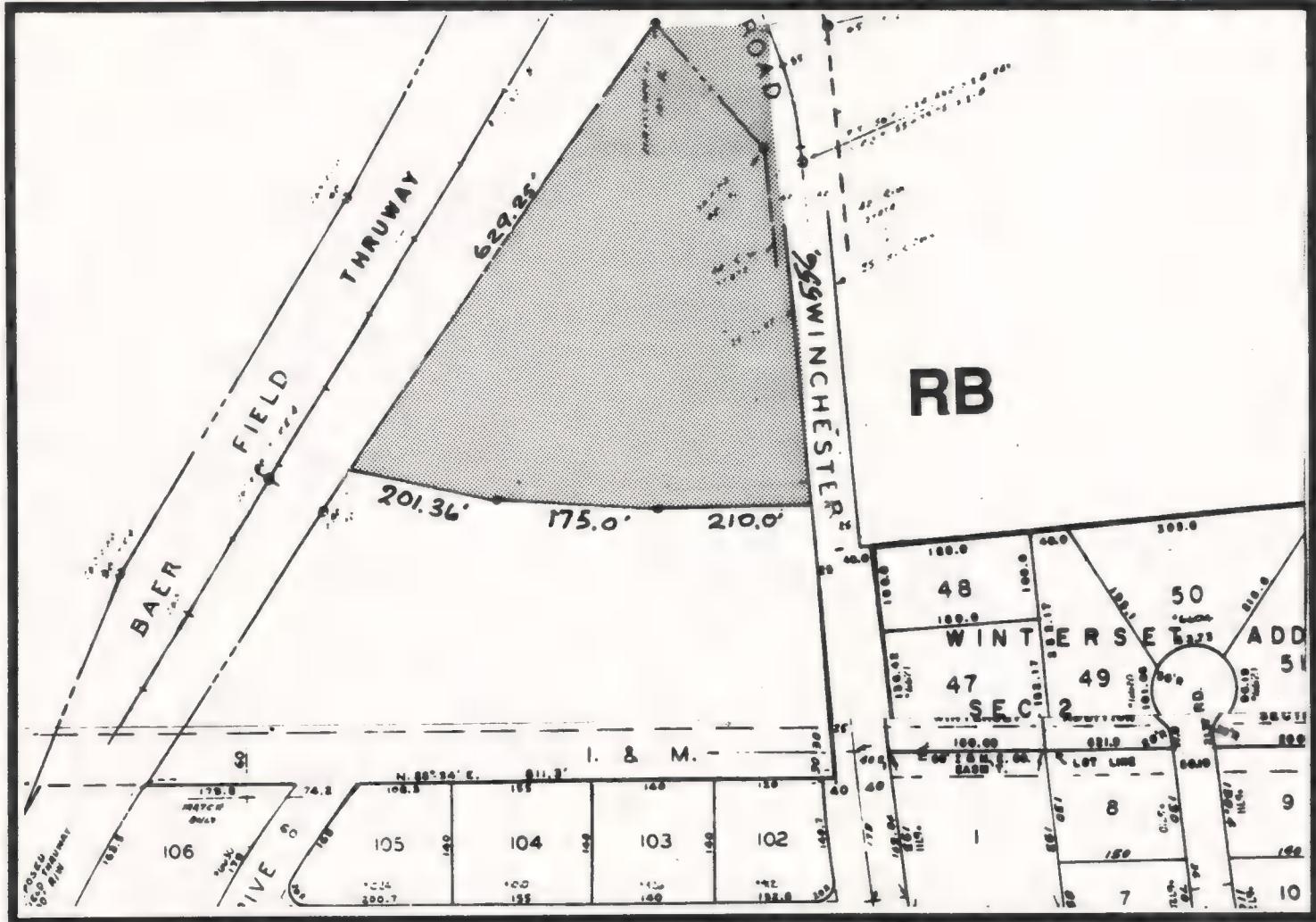
There was no one else present who wished to speak in favor of or in opposition to the proposed rezoning and primary development plan.

REZONING PETITION #351

A PETITION TO AMEND THE ZONING MAP BY RECLASSIFYING THE DESCRIBED PROPERTY FROM A RB DISTRICT TO A P.O.D. DISTRICT.

MAP NO. L-23

COUNCILMANIC DISTRICT NO. 5



ZONING:

RB RESIDENCE "B"

LAND USE:

SINGLE FAMILY

SCALE: 1" = 200'

DATE: 6-3-88



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on July 12, 1988, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated Bill No. Z-88-07-14, and;

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on July 18, 1988.

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that this ordinance be returned to the Common Council with a DO PASS recommendation based on the Commission's following "Findings of Fact":

(1) the grant will not be injurious to the public health, safety, morals, and general welfare of the community;

(2) the use or value of the area adjacent to the property included in the rezoning will not be affected in a substantially adverse manner;

(3) the need for the rezoning arises from some condition peculiar to the property involved and the condition is not due to the general conditions of the neighborhood;

(4) the strict application of the terms of the zoning ordinance will constitute an unusual and unnecessary hardship if applied to the property for which the rezoning is sought; and,

(5) the grant does not interfere substantially with the comprehensive plan adopted under the 500 series of the metropolitan development law.

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held July 25, 1988.

Certified and signed this
28th day of July 1988.



Robert Hutner
Secretary

Zohrab & Naomi Tazian request a change of zone from RB to POD

Location: Winchester Road at Baer Field Thruway

Legal: See file

Land Area: Approximately 4.811 acres

Zoning: RB

Surroundings: North RB Proposed Multi-family
South RB Open & Residential (SFR)
East RB Church & duplex development
West RB Open

Reason for Request: Professional Office District development

Neighborhood Assoc.: None

Landscape: No comment.

Neighborhood Plan: No comment.

Comprehensive Plan: The general land use policies of the Comprehensive Plan state that rezoning and development proposals should be compatible with existing and planned land uses and should not establish an undesirable precedent in the area to be developed. The goal in the Middle Ring, where this request is located, is to maintain investments and prevent deterioration in existing neighborhoods. Professional Office uses may be most desirable buffer for residential areas to the south and east.

Planning Staff Discussion:

This parcel of ground is located at the southwest corner of Winchester Road and Baer Field Thruway. The area to the immediate north is currently the home of a landscape nursery, with an approved multi-family development project anticipated. Immediately east is a church and two 3 building duplex developments. The ground immediately south is also owned by the petitioners and they are proposing a duplex subdivision on it. South of that is an existing single family residential subdivision (Lake Shores).

As we have seen recent interest in development along Winchester Road, we have been made aware of the neighborhoods concerns regarding flooding and traffic. This parcel is not in a designated floodplain, and should have little or no impact on floodway concerns. The traffic issue is one that will have to be faced by both the residents and the city. Baer Field Thruway is a major traffic arterial, and as the Winchester Road corridor develops, additional traffic will be generated.

Obviously these concerns are shared by all. The petitioner is proposing a Professional Office District which will generate additional traffic. However that traffic will generally be generated at set times during the day. These typical times will probably not conflict with school buses, which appears to be a major concern of the area residents.

Another item of concern is the overall impact of the proposal on property values. A P.O.D. can serve as a buffer zone type of development, acting as a transitional use between higher and lower intensities. Property values should be enhanced by this transitional use, especially in view of the traffic volumes on Baer Field Thruway, and the future multi-family development on the northwest corner.

Finally, this site's potential for development would appear to lie in either office uses or multi-family, due to the exposure of traffic on Baer Field Thruway. It would appear that a preferred choice would be in office development, especially as the Commission would have jurisdiction over site development.

Recommendation: Do Pass

- 1) Approval will represent the highest or best use of the property.
- 2) Approval will assist in the preservation of property values, by buffering the residential uses to the south from the traffic volumes along the Baer Field Thruway.
- 3) The impact of traffic generation will be a more contained and established variable, and should not be in conflict with school bus patterns in the area.



The City of Fort Wayne

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated utility easement.

The proposed ordinance is designated as:

BILL NO. G-88-06-13

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
25th day of July 1988.



Robert Hutner
Secretary

Division of Community Development & Planning

BRIEF TITLE

APPROVAL DEADLINE

REASON

Utility Easement Vacation

DETAILS

Specific Location and/or Address

1900 Block of Ardis & Eileen Streets

Reason for Project

Vacation of easement would make lots more marketable.

Discussion (Including relationship to other Council actions)

20 June 1988 - Public Hearing

Kevin Doyle, 1919 Ardis Street, one of the petitioners stated that the City had put in new streets and sanitary sewers as well as storm drains in the area. He stated that the storm drain easement that runs across these three lots in a north/south direction is no longer necessary. He stated they would like to be able to sell the lots and with the easement vacated they would be more likely to sell and be built on.

There was no one present who spoke in favor of or in opposition to the proposed vacation.

27 June 1988 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation contingent upon the petitioner providing a corrected legal description excluding the east-west utility easement along the south property line of Lots 14 and 23, and along the north property line of Lot 17. Motion carried.

POSITIONS

RECOMMENDATIONS

Sponsor

City Plan Commission

Area Affected

City Wide

Other Areas

Applicants/
Proponents

Applicant(s)

Kevin Doyle, Myra Sullivan,
Donald Lunz
City Department

Other

Opponents

Groups or Individuals

Basis of Opposition

Staff
Recommendation For Against

Reason Against

Board or
Commission
Recommendation

By

For Against
 No Action Taken

For with revisions to conditions
(See Details column for conditions)

CITY COUNCIL
ACTIONS
(For Council
use only)

<input type="checkbox"/> Pass	<input type="checkbox"/> Other
<input type="checkbox"/> Pass (as amended)	<input type="checkbox"/> Hold
<input type="checkbox"/> Council Sub.	<input type="checkbox"/> Do not pass

DETAILS

Of the eight members present seven (7) voted in favor of the motion one (1) did not vote.

NOTE: The ordinance was held until the corrected legal was submitted.

POLICY/ PROGRAM IMPACT

Policy or Program Change	<input type="checkbox"/> No	<input type="checkbox"/> Yes
Operational Impact Assessment		

(This space for further discussion)

Project Start

Date 11 April 1988

Projected Completion or Occupancy

Date 25 July 1988

Fact Sheet Prepared by

Patricia Biancaniello

Date 25 July 1988

Reviewed by

Jay Baets
Reference or Case Number

Date

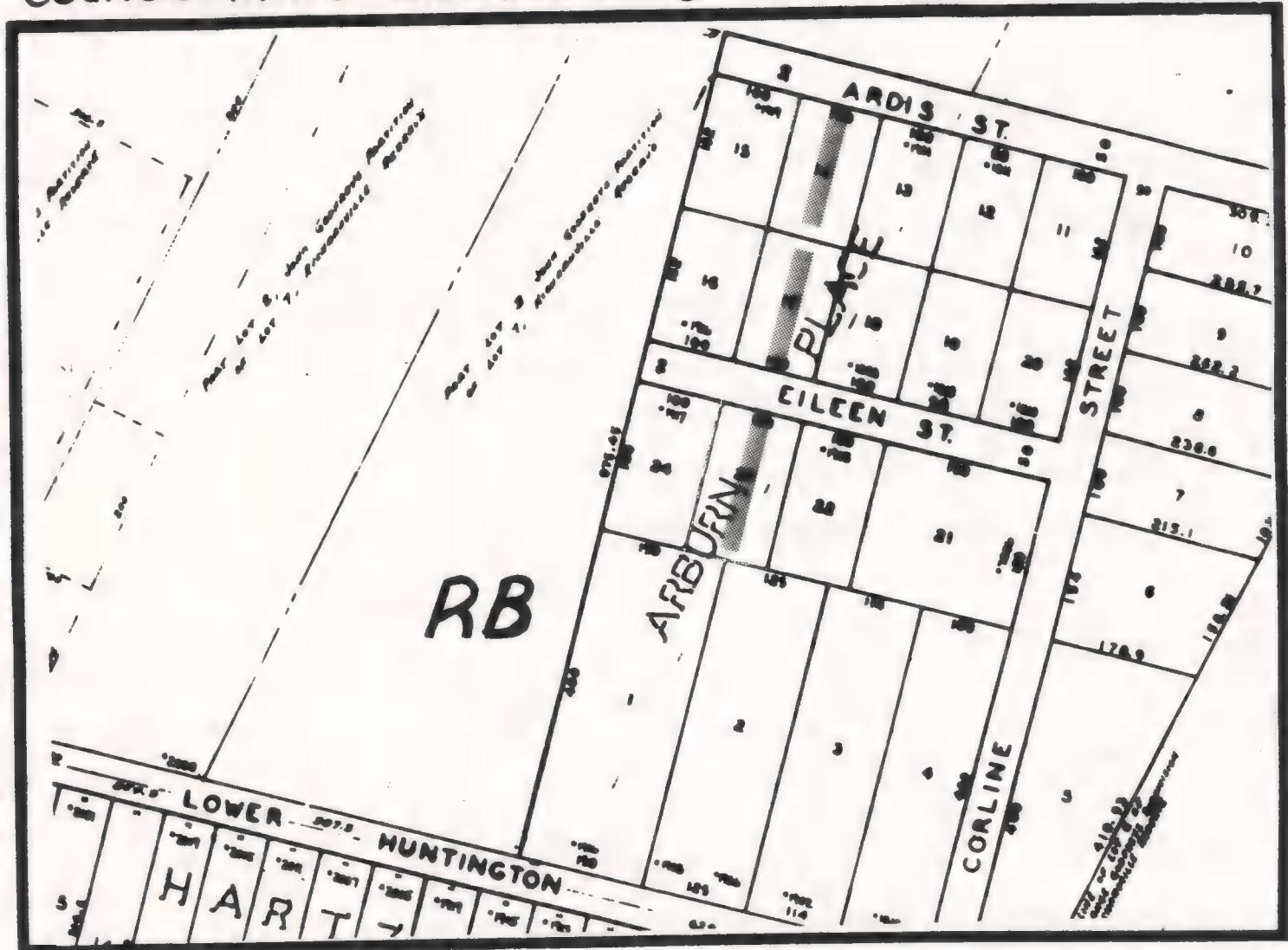
8/5/88

VACATION PETITION

A PETITION TO VACATE THE DESCRIBED PUBLIC STORM
DRAIN UTILITY EASEMENT.

MAP NO. J-27

COUNCILMANIC DISTRICT NO. 5



ZONING:

RB RESIDENCE 'B'

Bill No. G-88-06-13

AS AMENDED

LAND USE:

SCALE: 1" = 200'

DATE: 4-28-88



Kevin Doyle & Myra Sullivan request the vacation of a utility easement.

Location: 1900 Blocks of Ardis & Eileen Streets
Legal: See file
Land Area: Approximately 6000 Sq. Ft.
Zoning: RB
Surroundings: These easements are within a residential (RB) area.

Reason for Request: Reason not stated on petition.

Neighborhood Assoc.: Lakeshores Community

Neighborhood Plan: No comment.

Comprehensive Plan: No comment.

Landscaping: No comment.

Planning Staff Discussion:

These easements were initially established for storm drainage uses, and the City has since installed a new storm drainage system to serve this area.

This easement is not necessary for access to either public or private properties, nor will its vacation prevent or hinder the future growth of the city. Since its establishment, the conditions that necessitated the easement have changed, negating the need to preserve this easement.

Recommendation: Conditional Approval, contingent upon the petitioner providing any new easements that may be required.

- 1) Approval will allow the full use/development of these lots.
- 2) Approval will not hinder the growth potential of this area of the City.
- 3) The conditions that initially necessitated these easements has changed. Since the City has now provided new storm drainage to serve this area, these drainage easements are no longer needed.

1988 JUL 25 PM 3:10
RESOLUTION 77-310-24

WHEREAS, KEVIN DOYLE, MYRA SULLIVAN and DONALD LUNZ have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following utility easement situated in Fort Wayne, Allen County, to-wit:

A twelve foot in uniform width sewer easement running northeasterly and/or southwesterly over and across Lots 14, 17 and 23 Arburn Place Addition as described in Plat Book 18, page 46 in the Office of the Recorder of Allen County, Indiana, the center line of which is more particularly described as follows:

Beginning at the midpoint on the north line of Lot #23, Arburn Place Addition; thence southwesterly parallel with the east and west lines of said Lot #23 to a point twelve feet north of the south line of said Lot #23.

Also, beginning at the midpoint on the south line of Lot #17, Arburn Place Addition; thence northeasterly parallel with the east and west lines of said Lot #17 to a point twelve feet south of the north line of said Lot #17.

Also beginning at the midpoint on the north line of Lot #14, Arburn Place Addition; thence southwesterly parallel with the east and west lines of said Lot #14 to a point twelve feet north of the south line of said Lot #14.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of a dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said portion of utility easement or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Angela L. Derheimer, Director of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Public Works at their meeting held July 27, 1988 and as same appears of record in the official records of the Board of Public Works.

DATED THIS 27th DAY OF July 1988

FORT WAYNE BOARD OF PUBLIC WORKS

Angela S. Derheimer
Angela S. Derheimer
Director of Public Works

Greg Purcell
Greg Purcell
Director of Community Development & Planning

C. David Silletto
C. David Silletto
Director of Administration & Finance

RESOLUTION

WHEREAS, KEVIN DOYLE, MYRA SULLIVAN and DONALD LUNZ have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following utility easement situated in Fort Wayne, Allen County, to-wit:

A twelve foot in uniform width sewer easement running northeasterly and/or southwesterly over and across Lots 14, 17 and 23 Arburn Place Addition as described in Plat Book 18, page 46 in the Office of the Recorder of Allen County, Indiana, the center line of which is more particularly described as follows:

Beginning at the midpoint on the north line of Lot #23, Arburn Place Addition; thence southwesterly parallel with the east and west lines of said Lot #23 to a point twelve feet north of the south line of said Lot #23.

Also, beginning at the midpoint on the south line of Lot #17, Arburn Place Addition; thence northeasterly parallel with the east and west lines of said Lot #17 to a point twelve feet south of the north line of said Lot #17.

Also beginning at the midpoint on the north line of Lot #14, Arburn Place Addition; thence southwesterly parallel with the east and west lines of said Lot #14 to a point twelve feet north of the south line of said Lot #14.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on June 20, 1988 at 7:00 P.M. and at such hearing there were no objections of any kind or character which should prevent the vacation of said dedicated utility easement.

WHEREAS, said vacation of dedicated utility easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said dedicated utility easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said dedicated utility easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said dedicated utility easement in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Robert Hutner, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held June 27, 1988, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 25 DAY OF July 1988

FORT WAYNE CITY PLAN COMMISSION


Robert Hutner
Secretary

August 10, 1988

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

85/88/E, 86/88/E, 87/88/E,

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution(s) a matter of record and incorporate them into the minutes of the next Common Council meeting.

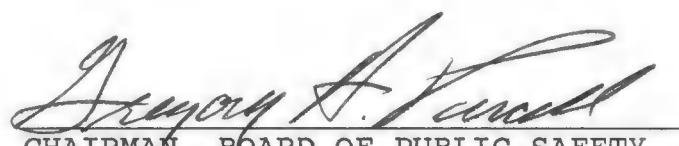
Respectfully submitted,


Gregory A. Powell, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 85/88/E
86/88/E
87/88/E

I hereby certify that I did this 10th day of August, 1988 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution Nos. 85/88/E, 86/88/E, 87/88/E, of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.



CHAIRMAN, BOARD OF PUBLIC SAFETY

REGULATORY RESOLUTION NO. 85/88/E

(Adopted August 10, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the
Temporary Experimental Regulation hereinafter ordered, with
regard to:

RENEW & EXTEND REG. RES.: 50/88/E

90 MINUTE PARKING 8 A.M. TO 6 P.M.

(EMERGENCY)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 4, 1988, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

August 10 , 19 88 , and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

90 MINUTE PARKING 8 A.M. TO 6 P.M.

(EMERGENCY)

Calhoun Street

--Both Sides--

for Packard Ave. to
Wildwood Ave.

REGULATORY RESOLUTION NO. 86/88/ E

(Adopted August 10, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

RENEW & EXTEND REG. RES. 51/88/E :

STOP INTERSECTION (EMERGENCY)

; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 4, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

August 10, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

STOP INTERSECTION (EMERGENCY)

Roy Street

--Stop--

for Pittsburg St.
to 165' west thereof

REGULATORY RESOLUTION NO. 87/88/ E

(Adopted August 10, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to:

RENEW & EXTEND REG. RES. 53/88/E :

NO PARKING

(EMERGENCY)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 4, 19 88, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective:

August 10, 19 88, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING

(EMERGENCY)

Reynolds Street

--North Side--

from Birchwood Ave.
to Edsall Ave.

DELETE:

NO PARKING

(EMERGENCY)

Reynolds Street

--North Side--

from Birchwood Ave.
to 220' east

President of the Common Council
City of Fort Wayne, Indiana

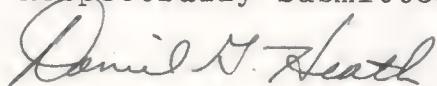
Gentlemen and Mrs. Bradbury:

Attached herewith are authenticated copies of the Board of Public Safety Regulatory Resolution Numbers:

88/88/E
89/88/E
90/88/E
91/88/E

For the purpose of enforcement, please make this communication and the attached Regulatory Resolutions a matter of record and incorporate them into the minutes of the next Common Council Meeting.

Respectfully Submitted,



, Chairman
Board of Public Safety

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 88/881 E)

I hereby certify that I did this 17th day of
August, 1988 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 88/881 E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1986.

Daniel D. Reath
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 88/88 /E

(Adopted August 17, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NC PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 10, 1988, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

August 17, 1988, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING 7 A.M. - 4 P.M. SCHOOL DAYS ONLY (EMERGENCY)

Smith Street --east side-- from Colerick Street to 50' north thereof

Weisser Park Avenue --west side-- from McKee Street to 50' south thereof

RETURN CERTIFICATE

(Regulatory Resolution No. 89/881E)

I hereby certify that I did this 17th day of
August, 1988 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 89/881E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1986.

Daniel D. Heath

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 89/88/E

(Adopted August 17, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to IMPAIRED MOBILITY PARKING (RESIDENTIAL)

EMERGENCY

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 10, 1988, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

August 17, 1988, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

IMPAIRED MOBILITY PARKING (RESIDENTIAL)

(EMERGENCY)

1150 Kinnaird Avenue

--north side--

from 200' east of Broadway to 20' east thereof

RETURN CERTIFICATE

(Regulatory Resolution No. 90/88/1E)

I hereby certify that I did this 17th day of August, 1988 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 90/88/1E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1986.

Daniel S. Heath

CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 90/88/E

(Adopted August 17, 19 88)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the
Temporary Experimental Regulation hereinafter ordered, with
regard to NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 15, 1988, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF
THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

August 17, 1988, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING

(EMERGENCY)

Griswold Drive

--west side--

from Anderson Avenue
to Tennessee Avenue

RETURN CERTIFICATE

(Regulatory Resolution No. 91/88/1E)

I hereby certify that I did this 17th day of
August, 1988 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 91/88 E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1986.

Donald D. Heath
CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 91/88 /E

(Adopted August 17, 1988)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to 15 MINUTE PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated August 15, 1988, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1986 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

August 17, 1988, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

15 MINUTE PARKING 8 A.M. TO 6 P.M.

(EMERGENCY)

Cherry Street

--west side--

from Boone St.
to 55' south
thereof